

AO 442 (Rev. 11/11) Arrest Warrant

## UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

Cristobal Lopez-Lopez

Case No.

1:20mj20

Defendant

## ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) Cristobal Lopez-Lopez

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment    ☐ Superseding Indictment    ☐ Information    ☐ Superseding Information    ☒ Complaint  
☐ Probation Violation Petition    ☐ Supervised Release Violation Petition    ☐ Violation Notice    ☐ Order of the Court

This offense is briefly described as follows:

the illegal re-entry of a previously deported or removed alien.

Date: 3/2/2020


Issuing officer's signature

City and state: Asheville, North Carolina

W. Carleton Metcalf, US Magistrate Judge, WDNC

Printed name and title

## Return

This warrant was received on (date) \_\_\_\_\_, and the person was arrested on (date) \_\_\_\_\_  
 at (city and state) \_\_\_\_\_.

Date: \_\_\_\_\_

Arresting officer's signature

Printed name and title

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

Cristobal Lopez-Lopez

Case No. 1:20 mj 20

Defendant(s)FILED  
ASHEVILLE, N.C.

MAR 02 2020

U.S. DISTRICT COURT  
W. DIST. OF N.C.

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 01, 2020 in the county of Hendersonville in the  
Western District of North Carolina, the defendant(s) violated:*Code Section*

8 U.S.C. §1326 (a)

*Offense Description*

the illegal re-entry of a previously deported or removed alien.

This criminal complaint is based on these facts:

Please see attached affidavit

☐ Continued on the attached sheet.*Complainant's signature*

Robert McGee, DO

*Printed name and title*

Sworn to before me and signed in my presence.

Date:

3/2/2020*Judge's signature*

City and state:

Asheville, North Carolina

W. Carleton Metcalf, US Magistrate Judge, WDNC

*Printed name and title*

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF NORTH CAROLINA**

**AFFIDAVIT**

1. I, Robert McGee, Deportation Officer, U.S. Immigration and Customs Enforcement, United States Department of Homeland Security, being duly sworn, state the following:
2. That your affiant is a graduate of the Federal Law Enforcement Training Center (FLETC) and has been employed as a federal officer of Immigration and Customs Enforcement (ICE), for over 13 years during which time I have conducted numerous investigations relating to administrative and criminal violations of the Immigration & Nationality Act (INA);
3. That the information contained in this affidavit is based on your affiant's personal participation in this investigation and from information provided to your affiant by other law enforcement officers. This affidavit is being submitted for the limited purpose of establishing probable cause to support the arrest of Cristobal LOPEZ-LOPEZ, I have not included each and every fact known to me concerning this investigation and have set forth only those facts that I believe are necessary for said purpose;
4. That there is probable cause to believe that Cristobal LOPEZ-LOPEZ [hereafter referred to as LOPEZ-LOPEZ] has committed an offense in violation of Title 8, United States Code, Section 1326(a) involving the reentry into the United States of an alien who was previously arrested and deported from the United States. LOPEZ-LOPEZ did not obtain the consent of the Attorney General of the United States prior to March 1, 2003 or the Secretary of the Department of Homeland Security after February 28, 2003 to reapply for admission to the United States after said deportation;
5. On January 01, 2020, Designated Immigration Officer (DIO) became aware of LOPEZ-LOPEZ via a fingerprint match in the Central Index System database. Records checks indicated that LOPEZ-LOPEZ was a previously removed alien, currently in local custody in Henderson County, NC. A detainer was lodged with Henderson County based on information that LOPEZ-LOPEZ was an alien previously removed from the United States;
6. That on January 2, 2020, D.O. Mike Rozos interviewed LOPEZ-LOPEZ at the Henderson County Jail. LOPEZ-LOPEZ was interviewed in the English language advised of his Miranda rights, which he acknowledged, and then provided a statement;
7. That on or about January 02, 2020, LOPEZ-LOPEZ's fingerprints were entered into the Integrated Automated Fingerprint Identification System (IAFIS) which is directly connected with the NCIC. The IAFIS system indicated that LOPEZ-LOPEZ had previously been assigned FBI number 4C743FPAM. The NCIC record for that FBI number, as well as

checks of other law enforcement indices revealed that LOPEZ-LOPEZ was previously deported from the United States under immigration file number A 213 003 916;

8. That your affiant reviewed a copy of immigration file number A 213 003 916 relating to LOPEZ-LOPEZ discovered the following:
  - a. that his true name is Cristobal LOPEZ-LOPEZ;
  - b. that LOPEZ-LOPEZ was born May 11, 1997 in Mexico;
  - c. that LOPEZ-LOPEZ is a native of Mexico and a citizen of Mexico;
  - d. that LOPEZ-LOPEZ illegally entered the United States at or near an unknown place on or about an unknown date;
  - e. that on November 12, 2019 LOPEZ-LOPEZ was ordered removed by an Immigration Judge in Lumpkin, GA;
  - f. that on November 18, 2019, LOPEZ-LOPEZ was removed from the United States via Brownsville, Texas, and Form I-205 Warrant of Removal/Deportation was executed.
  - g. that illegally reentered the United States at or near Unknown Place on or about Unknown Date;
9. That on February 22, 2019, ICE officers conducted extensive automated record checks of immigration indices and was unable to locate a record(s) that LOPEZ-LOPEZ was granted permission by the Attorney General of the United States or the Secretary of the Department of Homeland Security to reapply for admission to the United States after deportation/removal;
10. That there is probable cause to believe that Cristobal LOPEZ-LOPEZ, having been found in the United States on or about January 01, 2020, after in fact being previously arrested and removed from the United States, and having entered the United States without obtaining permission from the Attorney General of the United States or the designated Secretary of the Department of Homeland Security to reapply for admission into the United States, there is probable cause to believe that Cristobal LOPEZ-LOPEZ is in the United States in violation of Title 8, of the United States Code, Section 1326(a);
11. Based on the above information your affiant respectfully requests a warrant for the arrest of Cristobal LOPEZ-LOPEZ.

Further your affiant sayeth not.


DATE: 3/2/20



Robert McGee  
Deportation Officer  
U.S. Department of Homeland Security  
U.S. Immigration and Customs Enforcement

*(This affidavit reviewed by AUSA John D. Pritchard)*

Sworn before me on this the 2<sup>nd</sup> day of March, 2020.

  
\_\_\_\_\_  
W. Carleton Metcalf  
US Magistrate Judge, WDNC